

DECLARATION OF TIMOTHY D. BROWN

I, Timothy D. Brown, hereby make the following declaration:

1. I am a Supervisory Special Agent with the Federal Bureau of Investigation (FBI), and have been so employed since 2008. I served as a case agent in the investigation and prosecution of Dzhokhar Tsarnaev and am quite familiar with the facts of this case.

2. The FBI previously used a database called “Orion” to catalogue tips and send leads to investigators. In an Orion database entry, the “created by” timestamp denotes the specific date and time that the information was entered into the Orion database. This is not always indicative of the date and time the information was originally received by the FBI.

3. Prior to trial in this case, the government made certain information available to the defense on a stand-alone computer that was provided by the FBI. On June 17, 2019, I reviewed the hard drive of that stand-alone computer and confirmed that a redacted “Orion Information Package” dated April 21, 2013, attached hereto as Exhibit 1, was available for the defense to view on that stand-alone computer prior to January 12, 2015.

4. A lightly-redacted version of the April 21, 2013 Orion report—obtained from FBI records—is attached hereto as Exhibit 2. The formatting of that report is not identical to Exhibit 1 because Orion no longer exists, and I was unable to re-create the exact screenshot. But the information contained in the Exhibit 2 accurately reflects what is in Exhibit 1. The apparent one-hour discrepancies in the timestamps results from the fact that some of the timestamps are in Eastern Daylight Time (EDT) and some are in Eastern Standard Time (EST).

5. Exhibits 1 and 2 reflect that the tip regarding Whole Foods was entered into the Orion database at 2:24 EDT on April 21, 2013. Exhibit 2 reveals that the originator of the tip was Katherine Russell Tsarnaev, wife of Tamerlan Tsarnaev, brother of the Defendant Dzhokhar

Tsarnaev.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 19, 2019, in Chelsea,
Massachusetts.

Signed: 
Timothy D. Brown